

AUG 12 2009

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

JOHN F. CONCORAN, CLERK  
BY:  DEPUTY CLERK

WANDA B. DUNN,

*Plaintiff,*

v.

MICHAEL J. ASTRUE, COMMISSIONER OF  
SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION No. 3:08-cv-00033

ORDER

JUDGE NORMAN K. MOON

On November 12, 2008, I referred this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The parties subsequently filed cross motions for summary judgment, and on July 28, 2009, Judge Crigler filed a Report and Recommendation ("Report") recommending that Plaintiff's motion be granted and that the case be remanded to the Commissioner for further proceedings. After a review of the entire record in this case, and no objection having been filed to the Report within ten days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. the Report of July 28, 2009, shall be and hereby is ADOPTED in its entirety;
2. Plaintiff's motion for summary judgment (docket no. 14) is GRANTED;
3. Defendant's motion for summary judgment (docket no. 22) is DENIED; and
4. the case is hereby REMANDED to the Commissioner for further proceedings consistent with the direction and recommendations given in the Report.

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to United States Magistrate Judge B. Waugh Crigler.

It is so ORDERED.

ENTER: This <sup>12<sup>th</sup></sup> day of August, 2009.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE